

NOV 27 4 00 PM '65

Date: May 12, 2012

## Page 2, Pesticide Complaint Form, Continued:

of the State of Illinois, Dept of Agriculture and also with Driftwatch. He was already aware that I was organic.

Chuck had told me they were spraying a fungicide on the wheat. When I asked him if that were ALL he was spraying he said they were also spraying insecticide. When I asked him for the name of the insecticide he said he would have to call me back later as he was on the road.

I realized soon after the pilot flew over my entire property that I could smell a chemical spray and very shortly thereafter I had a "tinny" taste in my mouth. I went inside the house, made more calls, then realized I had a tremendous headache and a strange prickling sensation on my face. I washed my face immediately although the prickly sensation lasted after the washing and after my shower which I took within the hour.

I left my property at 10:20AM for a luncheon in Aurora. Chuck called me around 10:40AM and told me the names of the fungicide and insecticide. (Prosaro 421 DS and Warrior II.)

This use of fungicide and insecticide is a blatant pesticide violation of the pesticide label because of: for the following reasons:

1) No prior notification that insecticide aerial spraying was to take place just south of my organic property. My organic property and bees are registered with Driftwatch. The bees are also registered with the State of Illinois, Department of Agriculture, Apiary Division. Neither was consulted by the pilot of the aerial rig or by Chuck who said, "I didn't know you had bees." He did know my property was organic (a year or so ago we had talked about another incident and that is why I had his cell phone number in my address book).

2) Wind speed was in excess of what the label allows. Wind speed was initially SE 11-16 miles per hour and increased to South 18 mph shortly after the application began. The label states: "Do not apply when wind velocity exceeds 15 miles per hour."

3) The insecticide Warrior II is highly toxic to bees and bees should not be "exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area."

Yesterday the bees were out actively foraging at this time and could have been, or may have been, visiting blooming trees or weeds that were either being directly treated or where drift had occurred from the application of the fungicide/insecticide application. Bees potentially would forage for nectar and pollen within three miles of their hive when plants are blooming.



**Illinois**  
Department of  
**Agriculture**

# 8843

**Bureau of Environmental Programs**

State Fairgrounds · P.O. Box 19281 · Springfield, IL 62794-9281 · 217/785-2427 (voice/TYY) · Fax 217/524-4882  
Pesticide Misuse Hotline 1-800-641-3934 (voice/TYY)

June 1, 2012

[REDACTED]

Dear [REDACTED]

The Department has completed its investigation into your complaint concerning the possible misuse of a pesticide. During this inspection, the Department's representative could not find evidence to substantiate the claim of a pesticide misuse. The field of application was about 0.3 mile south of your bee hives. Wind speeds recorded at sites north of you were in the 11-15 miles per hour range while wind speeds at sites to the south and west were in the 6-10 mph range. It cannot be determined that any pesticide drift occurred. It does not appear that the product label directions were violated.

Since the Department is unable to prove that a pesticide misuse occurred, we are unable to pursue an enforcement action related to the alleged off-target movement of the pesticide under the Illinois Pesticide Act.

I appreciate your concern about the Illinois environment and the proper use of pesticides. It is our goal to both ensure the proper use of pesticide products as well as protect the environment we all depend upon. Thank you for your concern, assistance and attention in this matter.

Sincerely,

*Warren D. Goetsch*

Warren D. Goetsch, P.E.  
Bureau Chief

cc: 103-28-12-8843  
Jeremy Venhuizen  
Mark Cinnamon

PLEASE PRINT INFORMATION CLEARLY:

#8905

**Complainant Information:**

Date: 07/11/2012

Name: [REDACTED]

Address: [REDACTED]

City, State, Zip: Esmond, IL, 60129

County: ogle

Home Telephone Number: [REDACTED]

Work Telephone Number: [REDACTED]

Cellular Telephone Number: [REDACTED]

E-mail Address: [REDACTED]

RECEIVED

2012 JUL 16 A 9:33

**Complaint Information:**

Date of Incident: 07/10/2012

Time of Incident: [REDACTED]

Applicator type involved (check one): ☒ Commercial Company; ☐ Farmer; ☐ Homeowner; ☐ Other

Name of applicator (if known): [REDACTED]

Company Name (if known): tail number N500KA

Address: [REDACTED]

Telephone Number: [REDACTED]

County: ogle

Method of application (please check): ☐ Ground or ☒ Aerial; ☒ Liquid spray or ☐ Granular

Weather information: [REDACTED]

Chemical involved (if known): [REDACTED]

Specific nature of the complaint: [REDACTED]

Our two sons and myself were outdoors when the first flight over our home occurred. No warning was given to us, in respect for our bee hives located in the back three acres of our property. The pilot released the spray as he entered into our prairie - where the hives are located - about 200' away from our home. The smell was so intense, and since he was spraying so close our home, the children ran indoors, and we closed all the windows it was that thick. I then proceeded to video tape the plane closely passing over our home and then again release the spray a 2nd and 3rd time, each time into our prairie and onto our hives. The pilot continued his spraying in the outer fields, and then, as I was leaving by car, and I was parked in the drive, he passed feet away from the tops of our trees on the north side of our property and released a "puff" of spray directly onto my garden and flew nearly 10' from the top of our home.

(If more space is needed, attach a separate sheet to this)

Signature: [REDACTED]

Date: 7/10/12

**Witness Information (other than complainant):**

Name: [REDACTED]

Telephone number: [REDACTED]

Address: [REDACTED]



# Illinois Department of Agriculture

# 8105

## Bureau of Environmental Programs

State Fairgrounds · P.O. Box 19281 · Springfield, IL 62794-9281 · 217/785-2427 (voice/TYY) · Fax 217/524-4882  
Pesticide Misuse Hotline 1-800-641-3934 (voice/TYY)

October 12, 2012

[REDACTED]

Dear [REDACTED]

The Department has completed its investigation into your complaint concerning the possible misuse of a pesticide. During an inspection, the Department's representative did ascertain that a violation of the Illinois Pesticide Act occurred during the application of a pesticide.

Since there was a violation, as a result of a pesticide application, an enforcement action was pursued by the Department under the Illinois Pesticide Act. This resulted in a Warning Letter being issued to Mr. Michael Bryan, Hendrickson Flying Service, 21532 Quitno Road, Rochelle, IL 61068.

I appreciate your concern about the Illinois environment and the proper use of pesticides. It is our goal to both ensure the proper use of pesticide products as well as protect the environment we all depend upon. Thank you for your concern, assistance and attention in this matter.

Sincerely,

Warren D. Goetsch, P.E.  
Bureau Chief

cc: 141-28-12-8905  
Jeremy Venhuizen  
Mark Cinnamon

**Bureau of Environmental Programs**

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**WARNING LETTER**  
*Illinois Pesticide Act*

October 12, 2012

Mr. Michael Bryan  
Hendrickson Flying Service  
21532 Quitno Road  
Rochelle, IL 61068

Dear Mr. Bryan:

This letter is a formal warning that you have violated Section 14 (1)(D) of the Illinois Pesticide Act (415 ILCS 60/14 (1)(D)) in that you applied the pesticides Lorsban Advanced and Bifenture EC in violation of the label directions.

On July 17, 2012, a representative of the Illinois Department of Agriculture conducted an investigation near Esmond, Illinois concerning the possible misuse of a pesticide. The Department's investigation has revealed that the pesticides were applied in violation of the label directions. The label for Lorsban Advanced states: *"This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area."* The complainant had bee hives located within 80 feet of the field of application. Plant samples, obtained next to the bee hives, contained residues of chlorpyrifos and bifenthrin which were detected via laboratory analysis. Chlorpyrifos and bifenthrin are the active ingredients in Lorsban Advanced and Bifenture EC, respectively.

This warning letter will remain on file with the Department for three years and will be utilized in the assessing of points for any future violations of the Illinois Pesticide Act (415 ILCS 60/1 *et seq.*). If future violations are found, appropriate action will be taken as authorized by the aforementioned Act. Pursuant to the Department's Administrative Rules (8 Ill. Admin. Code 1.200 *et seq.*), you have the right to appeal the issuance of this Warning Letter by filing a petition with the Director of the Illinois Department of Agriculture within 30 days of receipt of this letter.

If you have any questions concerning this matter, feel free to contact Mr. Scott Frank or me at 217-785-2427.

Sincerely,



Warren D. Goetsch, P.E.  
Bureau Chief

**Complainant Information:**

# 8907

Date: 07/13/2012

Name: [REDACTED]

Address: [REDACTED]

RECEIVED

City, State, Zip: Yorkville, IL 60560

2012 JUL 17 A 9:03

County: Kendall County

Home Telephone Number: [REDACTED]

Work Telephone Number: [REDACTED]

Cellular Telephone Number: [REDACTED]

E-mail Address: [REDACTED]

**Complaint Information:**

Date of Incident: 07/12/2012

Time of Incident: Afternoon and evening

Applicator type involved (check one): ☒ Commercial Company; ☐ Farmer; ☐ Homeowner; ☐ Other

Name of applicator (if known): N/A

Company Name (if known): N/A

Address: N/A

Telephone Number: [REDACTED]

County: N/A

Method of application (please check): ☐ Ground or ☒ Aerial; ☒ Liquid spray or ☐ Granular

Weather information: Sunny and clear

Chemical involved (if known): N/A

Specific nature of the complaint:

While applying pesticide, plane continually overflow (no drift) property. Turning on application jets at or near property lines, odor of pesticide was strong over all property. Property houses apiary units. Adjacent fields are wide open, so applicator could change flight paths there by eliminating over spray.

(If more space is needed, attach a separate sheet to this form)

Signature [REDACTED]

Date: 7/13/12

**Witness Information (other than complainant):**

Name: [REDACTED]

Telephone number: [REDACTED]

Address: [REDACTED] Millbrook, IL, 60536



**Illinois**  
Department of  
**Agriculture**

# 8907

**Bureau of Environmental Programs**

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Pesticide Misuse Hotline 1-800-641-3934 (voice/TYY)

August 30, 2012

[REDACTED]

Dear [REDACTED]

The Department has completed its investigation into your complaint concerning the possible misuse of a pesticide. While speaking with the Department's representative, you indicated that your concern dealt with the flight pattern of the aircraft during the spraying event and the presence of your honeybees. No evidence of misapplication was evident from this spraying event. The Department's representative did notify the aerial applicator regarding your concerns.

Since the Department is unable to prove that a pesticide misuse occurred, we are unable to pursue an enforcement action under the Illinois Pesticide Act.

I appreciate your concern about the Illinois environment and the proper use of pesticides. It is our goal to both ensure the proper use of pesticide products as well as protect the environment we all depend upon. Thank you for your concern, assistance and attention in this matter.

Sincerely,

Warren D. Goetsch, P.E.  
Bureau Chief

cc: 093-25-12-8907  
Kent Bloom  
Mark Cinnamon



PLEASE PRINT INFORMATION CLEARLY:

#8908

**Complainant Information:**

Date: 7/13/2012

Name: [REDACTED]  
Address: [REDACTED]  
City, State, Zip: MONMOUTH IL 61462  
County: WARREN  
Home Telephone Number: [REDACTED]  
Work Telephone Number: [REDACTED]  
Cellular Telephone Number: [REDACTED]  
E-mail Address: [REDACTED]

**Complaint Information:**

Date of Incident: 7/12/12 or 7/13/12 Time of Incident: [REDACTED]

Applicator type involved (check one): ☒ Commercial Company; ☐ Farmer; ☐ Homeowner; ☐ Other ?

Name of applicator (if known): [REDACTED]

Company Name (if known): I think P.C.A. because the other

Address: Monmouth, IL 2 Co's call me before they

Spray & in Bushnell I think. Spray PCA HAS NOT CALLED

Telephone Number: [REDACTED] County: Warren

Method of application (please check): ☐ Ground or ☒ Aerial; ☐ Liquid spray or ☐ Granular

Weather Information: Calm to very light breeze

Chemical involved (if known): [REDACTED]

Specific nature of the complaint: Bees as they land in cap to

in front of house like I think died when

I had a Pen Cap N loss of that was

reported to me by the State of IL.

I have a sample in the freezer if needed.

(If more space is needed, attach a separate sheet to this form.)

Signature: [REDACTED]

Date: 7/13/12

**Witness Information (other than complainant):**

Name: [REDACTED] Telephone number: [REDACTED]

Address: [REDACTED]

IMPORTANT NOTICE: This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the 415 ILCS 60/1 through 26. Failure to provide this information shall prevent this form from being processed. This form has been approved by the State Fore Management Center IL-406-1280 (1-94)

**Bureau of Environmental Programs**

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Pesticide Misuse Hotline 1-800-641-3934 (voice/TTY)

November 16, 2012

[REDACTED]  
[REDACTED]  
[REDACTED]  
Dear [REDACTED]

The Department has completed its investigation into your complaint concerning the possible misuse of a pesticide. During this inspection, the Department's representative could not find evidence to substantiate the claim of a pesticide misuse. Laboratory analysis of two bee samples from your property did not reveal the presence of any residues of four insecticides used in the area. Only one of twelve colonies exhibited dead bees. The Department is not able to determine the cause of the death of the bees.

Since the Department is unable to prove that a pesticide misuse occurred, we are unable to pursue an enforcement action under the Illinois Pesticide Act.

I appreciate your concern about the Illinois environment and the proper use of pesticides. It is our goal to both ensure the proper use of pesticide products as well as protect the environment we all depend upon. Thank you for your concern, assistance and attention in this matter.

Sincerely,



Warren D. Goetsch, P.E.  
Bureau Chief

cc: 187-22-12-8908  
Roy Winbigler